

REMARKS

Claims 1-8, 10-18, and 21-24 remain in this application. Claims 14, 15, 18 and 21 stand withdrawn from prosecution. Applicant respectfully requests reexamination.

New corrected drawings were required. Applicant submits herewith replacement drawing sheets along with annotated sheets showing the changes proposed. Applicant respectfully requests entry of the corrected drawings.

Claims 1-8, 10-13 and 22-24 were rejected under 35 U.S.C. §112, second paragraph, for indefiniteness. The rejection of all these claims is based on alleged indefinite recitations in claims 1 and 10.

Claim 1 has been amended in a manner that hopefully obviates the rejection of claim 1. Applicant respectfully requests that the rejection of claim 1 under 35 USC § 112 be withdrawn.

Applicant respectfully requests that the indefiniteness rejections 35 USC § 112 of claims 2-8, 11-13 and 22-24, which depend from claim 1, be withdrawn.

As for claim 10, the office action objected to the indefinite article "a" in the limitation "receive a wireline signal" on the grounds that "it is not clear whether this wireline signal is the same wireline signal as being recited in claim 1 or a different wireline signal from claim 1." *Office Action* at page 4. The answer is that "a wireline signal" as recited in claim 10 may be either the wireline signal previously recited in claim 1, or a different wireline signal. Applicant submits that this usage of the indefinite article is appropriate.

Lack of antecedent basis alone does not render a claim indefinite under Section 112. "[T]he definiteness of the language employed must be analyzed - not in a vacuum, but always in light of the teachings of the prior art and of the particular application disclosure as it would be interpreted by one possessing the ordinary level of skill in the pertinent art." *In re Moore*, 439

F.2d 1232, 1235 (CCPA 1971). A claim will not be indefinite unless the scope is not “reasonably ascertainable by those skilled in the art.” *Energizer Holdings v. ITC*, 435 F.3d 1366, 1370-71 (Fed. Cir. 2006).

The specification at paragraph 0035 explains that a wireline signal 114 may either be passed from wireline communication unit 112 to mobile platform network 116 (“on-loading” as recited in claim 1), or alternatively, from mobile platform network 116 to wireline communication unit 112 (“off-loading” as recited in claim 10). Applicant submits that this alternative functionality is definite in scope and is accurately captured in claim 10 by usage of the indefinite article.

The office action also objected to the indefinite article “an” in the limitation “output an unencrypted media signal” on the grounds that “[i]t is not clear [whether] this unencrypted media signal [is] referring to [an] information signal recited in the same claim being unencrypted or an unencrypted media signal recited in claim 1.” *Office Action* at page 4. Pursuant to the specification “an unencrypted media signal” as recited in claim 10 may be either the unencrypted media signal previously recited in claim 1, or a different unencrypted media signal.

The specification at paragraphs 0033 and 0035 explains that an unencrypted media signal 206 may either be passed from security processor unit 204 to control processor unit 108 (“on-loading” as recited in claim 1), or alternatively, from control processor unit 108 to security processor unit 204 (“off-loading” as recited in additional limitations of claim 10). Applicant submits that this alternative functionality is definite in scope, and is accurately captured in claim 10 by usage of the indefinite article.

Lack of antecedent basis alone does not render a claim indefinite under Section 112. *In re Moore*, 439 F.2d 1232, 1235 (CCPA 1971); *Energizer Holdings v. ITC*, 435 F.3d 1366, 1370-71 (Fed. Cir. 2006).

Applicant respectfully requests that the rejection of claim 10 under 35 USC § 112 be withdrawn.

Claim 1 was rejected under 35 USC § 103(a) as unpatentable over U.S. Patent 6,886,098 (“*Benaloh*”) in view of “In-flight Entertainment Whitepaper” (the “*Whitepaper*”). Applicant respectfully traverses.

On page 7 of the office action, *Benaloh* is cited for teaching the limitation of claim 1 that recites “a control processor unit ... parsing the media signal into blocks of information of a predetermined size”. The office action cites to *Benaloh*, col. 3, lines 58-59 and FIG. 1, item 104 as teaching a CPU, and cites to *Benaloh* at col. 9, lines 10-51 as teaching partitioning of unencrypted content. A careful review of *Benaloh*, however, reveals that it fails to teach partitioning unencrypted content using the CPU.

In claim 1, the control processor unit (CPU) is a component of the claimed terminal data loading device, and the CPU parses the unencrypted media signal *after* the signal has been read from the media element (DVD) and decrypted by the security processor unit.

Benaloh teaches partitioning unencrypted content *prior* to placing it on the DVD. *Benaloh* at col. 9, lines 10-12. *Benaloh* suggests partitioning the unencrypted content while filming the movie by using different camera angles. *Id.* at col. 9, lines 46-57. *Benaloh* specifically teaches partitioning the media signal prior to encrypting the partitions (col. 9, lines 58-60) and that the partitioning and encryption processes, which are shown in FIG. 12, are “likely to be implemented by the manufacturer of the DVD ... prior to distribution of its digital

content”. *Id.* at col. 11, lines 33-39. *Benaloh*’s CPU 104 operates only after an encrypted DVD has been loaded into the DVD content player. *Id.* at col. 4 lines 30-34.

The CPU of the present invention processes the unencrypted media signal *after* decryption, by parsing it into blocks of predetermined size to realize signal transmission advantages neither taught nor suggested in *Benaloh*. These include enabling the use of block-cipher protocols and limiting the bandwidth of transmissions in the presence of other network devices. *See* specification at paragraph 0033.

The *Whitepaper* is cited only for teaching wireline communications for in-flight entertainment systems. Neither *Benaloh* alone, nor a combination of *Benaloh* and the *Whitepaper*, teaches or suggests a control processor unit parsing the decrypted media signal into blocks of information of a predetermined size, as recited in claim 1.

Applicant respectfully requests that this rejection of claim 1 be withdrawn.

Claims 1-5, 8, 11-12, 16-17 and 22-24 were rejected under 35 USC § 103(a) as unpatentable over *Benaloh* in view of U.S. Patent 6,671,589 (“*Holst*”). Applicant respectfully traverses.

In the rejection of claim 1, *Holst* is cited only for teaching wireline communications for airborne computers. Applicant reasserts here the above arguments for patentability of claim 1 over *Benaloh* in view of the *Whitepaper*. For the same reasons noted above, *Benaloh* alone, or in *Benaloh* in combination with *Holst*, fails to teach or suggest a control processor unit parsing the decrypted media signal into blocks of information of a predetermined size, as recited in claim 1.

Applicant respectfully requests that this rejection of claim 1 be withdrawn.

Claims 2-5, 8, 11-12 and 22-24 depend from claim 1. Applicant respectfully requests that the rejections of these claims be withdrawn for the same reasons presented above for claim

1.

Claim 2 recites a combination on-loading and off-loading system. When off-loading, an information signal originates at the mobile platform network and transfers to the CPU, which outputs a media signal to the media unit, which in turn, writes the media signal to the transportable media element. *Benaloh* fails to teach off-loading information from the on-board network to the media element. *Holst* teaches uploading and downloading flight performance data remotely through a wireless interface using the ARINC protocol. *Holst* col. 4, lines 33-59. The suggested combination of *Benaloh* and *Holst* does not teach or suggest off-loading data from the mobile platform by writing data to the transportable media element as recited in claim 2.

Applicant requests that this rejection of claim 2 be withdrawn.

Claims 16 and 17 were rejected “using the same rationale as [in the rejection of] claims 1-3”. *Office Action* at page 12.

Claim 16 contains process limitations similar to the functional limitations on the structural elements of claim 1. Specifically, claim 16 recites “parsing the media signal into blocks of information of a predetermined size.” Claim 17 depends from claim 16.

Applicant reasserts here the above arguments for the patentability of claim 1 over *Benaloh* in view of the *Whitepaper*, and for patentability of claims 1-3 over *Benaloh* in view of *Holst*. Applicant requests that these rejections of claims 16 and 17 be withdrawn.

Claims 6 and 13 were rejected under 35 USC § 103(a) as unpatentable over *Benaloh* in view of *Holst* and in further view of U.S. Patent 7,213,268 (“*Stelling*”). Applicant respectfully traverses.

Stelling is cited for teaching a media unit in the form of a solid-state memory stick, and for teaching various encryption standards. Claims 6 and 13 each depend from claim 1.

Applicant reasserts here the above arguments for the patentability of claim 1 over *Benaloh* in view of *Holst*. Applicant requests that these rejections of claim 6 and 13 be withdrawn.

Claim 7 was rejected under 35 USC § 103(a) as unpatentable over *Benaloh* in view of *Holst* and in further view of U.S. Patent 6,775,087 ("*Chan*"). Applicant respectfully traverses.

Chan is cited for teaching Advanced Intelligent Tape (AIT) and AIT drives. Claim 7 depends from claim 1. Applicant reasserts here the above arguments for the patentability of claim 1 over *Benaloh* in view of *Holst*. Applicant requests that the rejection of claim 7 be withdrawn.

Claim 10 was rejected under 35 USC § 103(a) as unpatentable over *Benaloh* in view of *Holst* and in further view of WO01/06787 ("*Peterson*"). Applicant respectfully traverses.

Claim 10 recites a combination on-loading and off-loading system. When off-loading, the information signal originates at the mobile platform network and transfers to the CPU, which outputs an unencrypted media signal to the security processor unit, which in turn, encrypts the media signal and outputs the encrypted signal to the media unit, which in turn, writes the encrypted media signal to the transportable media element.

The office action at pages 14-15 observes that *Holst* discloses bi-directional data flow by virtue of its teachings relative to uploading and downloading of software. The office action then combines this bidirectional teaching with *Benaloh* in an attempt to transform *Benaloh's* DVD driver to a device capable of encrypting a media signal and writing the encrypted signal to a DVD. The office action cites to *Benaloh* at col. 12, lines 32-39 for support. That passage says:

In other embodiments, both can be delivered together on the same media. For example, a DVD might carry both an encrypted movie as well as an encrypted key collection for the content player. Additionally, in the in-flight entertainment example given above, we see how it is possible for the encrypted content and multiple

differently encrypted key collections to be delivered together.

Benaloh at col. 12, lines 32-39. Here, *Benaloh* is simply explaining that both encrypted content and encrypted key collections can be delivered together or separately to the DVD content player. *There is no teaching or suggestion that the DVD content player write an encrypted media signal to the DVD.* Moreover, the suggested combination of *Benaloh* and *Holst* does not teach or suggest off-loading data from the mobile platform by writing encrypted data to the transportable media element, as recited in claim 10.

The office action at page 15 cites to *Peterson* as teaching a security processor unit receiving an unencrypted media signal and outputting an encrypted media signal. This is nothing more than a basic description of encrypting and decrypting, which adds nothing to the combination of *Benaloh* in view of *Holst* that is not already taught in *Benaloh*. Note that in *Peterson*, the media signal does not originate at a mobile platform network.

Benaloh in view of *Holst* and further in view of *Peterson* fails to teach or suggest a combination on-loading and off-loading system that when off-loading, receives an information signal that originates from a network on a mobile platform media, converts the signal to an encrypted media signal, and writes the encrypted media signal to a transportable media element, as recited in claim 10.

Applicant requests that this rejection of claim 10 be withdrawn.

/

/

/

/

/

In light of the above amendment and remarks, applicant respectfully submits that all the claims remaining in the application are in condition for allowance, and respectfully requests that the claims be allowed and the application passed to issue.

Sincerely,

SNELL & WILMER L.L.P.



Albin H. Gess
Registration No. 25,726
600 Anton Boulevard, Suite 1400
Costa Mesa, California 92626
Telephone: (714) 427-7020
Facsimile: (714) 427-7799